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Attorney for Defendant Christopher David Michalski

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA,

No. 3:22-CR-00190-SI

Plaintiff,

v.

**DECLARATION OF BEAR
WILNER-NUGENT IN SUPPORT OF
DEFENDANT'S THIRD UNOPPOSED
MOTION TO CONTINUE TRIAL DATE**

CHRISTOPHER DAVID MICHALSKI,

Defendant.

I, BEAR WILNER-NUGENT, make the following declaration under the penalty of perjury and based on my own personal knowledge. I am competent to testify to the following:

1. I am the attorney for defendant Christopher David Michalski. I make this declaration in support of defendant's unopposed motion to continue the trial date.
2. The trial is currently scheduled for 9:00 a.m. on January 10, 2023.
3. Defendant seeks to continue the trial date for approximately 45 days.
4. Defendant is not in custody. He is being supervised by United States Pretrial Services. He is compliant with his release conditions.

5. This is defendant's third motion for a continuance in this case.
6. The indictment charges defendant with one count of interstate communication of threats.
7. The requested continuance is necessary for an effective defense. Late last month, I made a detailed settlement presentation to the government in writing. The government has requested that we arrange for some additional time so that the United States Attorney's Office may fully consider the settlement proposal, including victim consultation.
8. Assistant United States Attorney Scott Kerin has represented that the government does not oppose defendant filing this motion to continue.
9. I have discussed with defendant the need to make this motion in order to provide him with effective representation in service of the best possible outcome. Defendant agrees with the continuance, understands the rights provided by the Speedy Trial Act, and waives those rights for the period of the continuance in light of the reason for the continuance.
10. Defendant is not making this motion for the purpose of delay.

I hereby declare that the above statements are true to the best of my knowledge and belief and that I understand that they are made for use as evidence in court and are subject to penalty for perjury.

RESPECTFULLY SUBMITTED January 5, 2023.

/s/ Bear Wilner-Nugent
Bear Wilner-Nugent, OSB #044549
Attorney for Defendant Christopher David Michalski